

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION**

DAVEY GREEN,

Plaintiff,

v.

PIERCE COUNTY, et al.,

Defendants.

CIVIL ACTION NO.: 5:24-cv-37

**ORDER**

Plaintiff, proceeding pro se, filed a Motion for Subpoena seeking to subpoena Frank Morgan Pennington, II. Doc. 7. This Court's Standing Order requires a non-incarcerated pro se litigant to provide a written statement explaining the need for a subpoena. Order, In re: Subpoenas, No. 4:96-mc-6 (S.D. Ga. Jan. 16, 1996), ECF No. 1. Plaintiff provides no statement or reason to subpoena Mr. Pennington, an attorney from the United States Attorney's Office. Plaintiff attached 27 pages of miscellaneous documents and handwritten notes, but these do not mention Mr. Pennington, and Plaintiff does not explain their relevance. Plaintiff indicates he wishes to subpoena Mr. Pennington "as Defendant," but Plaintiff has not sought to add Mr. Pennington as a party defendant. Moreover, subpoenas and discovery requests are premature because Plaintiff's motion to proceed *in forma pauperis* is pending and no Defendants have been served in this case. Accordingly, I **DENY** Plaintiff's Motion for Subpoena.

**SO ORDERED**, this 22nd day of July, 2024.

A handwritten signature in blue ink, appearing to read "B. Cheesbro", is written over a horizontal line.

BENJAMIN W. CHEESBRO  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA